



## Kenai City Council - Regular Meeting

August 16, 2023 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

[www.kenai.city](http://www.kenai.city)

**\*\*Telephonic/Virtual Information on Page 3\*\***

### Agenda

#### A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

#### B. SCHEDULED ADMINISTRATIVE REPORTS

#### C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

#### D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

#### E. PUBLIC HEARINGS

1. **Ordinance No. 3365-2023** - Increasing Estimated FY2023 Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
2. **Ordinance No. 3366-2023** - Increasing Estimated Revenues and Appropriations in the General Fund - Planning Department to Complete Rezoning of the Kenai Waterfront Area as Identified in the 2022 Kenai Waterfront Revitalization Assessment. (Knackstedt)
3. **Ordinance No. 3367-2023** - Increasing Estimated Revenues and Appropriations in the General Fund - Street Department for Award of a Contract to Replace Public Sidewalk at 815 Frontage Road. (Administration)
4. **Resolution No. 2023-51** - Approving an Amendment to the Lease for a Portion of Lot 3, Block 17, Original Townsite of Kenai Between the City of Kenai and Peninsula Art Guild, Inc. to Accommodate an Existing and Proposed New Shed. (Administration)
5. **Resolution No. 2023-52** - Authorizing a Contract Award and Corresponding Purchase Order for the Cemetery Phase 2 Fencing Project. (Administration)

#### F. MINUTES

1. \*Regular Meeting of August 2, 2023. (City Clerk)

**G. UNFINISHED BUSINESS****H. NEW BUSINESS**

- [1.](#) **\*Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) **\*Action/Approval** - Recommending the Kenai Peninsula Borough Assembly Appoint Kenai City Clerk, Shellie Saner to the Kenai Peninsula Borough Voter Turnout Working Group. (Gabriel)
- [3.](#) **\*Ordinance No. 3368-2023** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Operations Facility Capital Funds to Provide Supplemental Funding for the Kenai Municipal Airport Operations Facility Boiler and HVAC Controls Replacement Project. (Administration)
- [4.](#) **Action/Approval** - Approving Official Bond Amounts for City Manager, City Clerk and Finance Director. (Administration)

**I. COMMISSION / COMMITTEE REPORTS**

1. Council on Aging
2. Airport Commission
- [3.](#) Harbor Commission
4. Parks and Recreation Commission
- [5.](#) Planning and Zoning Commission
6. Beautification Committee

**J. REPORT OF THE MAYOR****K. ADMINISTRATION REPORTS**

- [1.](#) City Manager
2. City Attorney
3. City Clerk

**L. ADDITIONAL PUBLIC COMMENTS**

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

**M. EXECUTIVE SESSION****N. PENDING ITEMS**

1. **Resolution No. 2023-49** - Declaring the Rights-of-Way of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) are No Longer Needed for a Public Purpose and Consenting to Vacation of the Rights-of-Way. (Administration) [*At the 08/02/23 meeting, this item was postponed to 09/06/23.*]

**O. ADJOURNMENT****P. INFORMATION ITEMS**

*The agenda and supporting documents are posted on the City's website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.*

**Join Zoom Meeting**

<https://us02web.zoom.us/j/87126614375>

**Meeting ID:** 871 2661 4375 **Passcode:** 146181

OR

**Dial In:** (253) 215-8782 or (301) 715-8592

**Meeting ID:** 871 2661 4375 **Passcode:** 146181



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3365-2023**

AN ORDINANCE INCREASING ESTIMATED FY2023 REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE ALASKA HIGH INTENSITY DRUG TRAFFICKING AREA FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department assists the regional drug task force on initiatives with funding availability through the Alaska High Intensity Drug Traffic Area (AK HIDTA), which is funded through a Federal Government Appropriation; and,

WHEREAS, funding through AK HIDTA is available to reimburse certain overtime expenditures for the Kenai Police Officers that assist the regional drug task force or directly participate in the task force on those HIDTA initiatives; and,

WHEREAS, the overtime expense that was eligible for reimbursement from April of 2023 through the end of June, 2023 was \$3,645.01; and,

WHEREAS, overtime for these additional expenditures for drug investigations were not budgeted and the Department is requesting appropriation into the FY23 overtime budget equal to the amount of the AK HIDTA funding.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the City Manager is authorized to accept these funds from the AK HIDTA in the amount of \$3645.01 and to expend those funds to fulfill the purpose and intent of this ordinance

**Section 2.** That the fiscal year 2023 estimated revenues and appropriations be increased as follows:

General Fund:

|  |                   |
|--|-------------------|
| Increase Estimated Revenues –<br>Federal Grants – Police | <u>\$3,645.01</u> |
|--|-------------------|

|   |                   |
|---|-------------------|
| Increase Appropriations – Police Department -<br>Overtime | <u>\$3,645.01</u> |
|---|-------------------|

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 16<sup>TH</sup> DAY OF AUGUST, 2023.

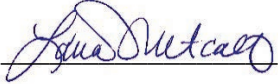
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Brian Gabriel Sr., Mayor

ATTEST:

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Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: August 2, 2023  
Enacted: August 16, 2023  
Effective: August 16, 2023



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Ross – Police Chief

**DATE:** July 12, 2023

**SUBJECT:** **Ordinance No. 3365-2023, Accepting HIDTA Grant Funds**

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The Kenai Police Department participates in the regional drug task force. Between April of 2023 and June of 2023 certain overtime worked in conjunction with the regional drug task force was eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested reimbursement for \$3,645.01 in overtime expenditures.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY23 budget for the purpose they were intended.



Sponsored by: Knackstedt

**CITY OF KENAI  
ORDINANCE NO. 3366-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – PLANNING DEPARTMENT TO COMPLETE REZONING OF THE KENAI WATERFRONT AREA AS IDENTIFIED IN THE 2022 KENAI WATERFRONT REVITALIZATION ASSESSMENT.

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WHEREAS, in 2022 the City contracted with McKinley Research Group to complete the Kenai Waterfront Revitalization Assessment, a project to identify redevelopment strategies to maximize the potential of the waterfront study area, consider existing and potential land use and zoning, and determine the community's vision for the area; and,

WHEREAS, the Kenai Waterfront area is approximately 160-acres adjacent to Bridge Access Road south of Millennium Square and east of the Kenai Senior Center, including the Kenai City Dock; and,

WHEREAS, the community's vision for the area was summarized in the following points:

1. The public desires and supports new development but not at the expense of impacting the existing uses, primarily the seafood plants, and the ability to access the Kenai River and its many resources.
2. The public wants revitalization to be authentic, protective of the river and natural environment, be accessible year-round, and provide economic opportunities.
3. There is a need to protect and celebrate the area's history, culture, and outstanding views of the river, surrounding landscape, wildlife, and volcanoes.
4. The phrase, "Build it for the locals, and the visitors will love it" is important in meeting these criteria; and,

WHEREAS, community ideas for land uses in the area included:

1. Consensus on mixed land uses.
2. Low impact uses, such as recreation and water dependent uses, should be given priority.
3. Create a destination facility or "anchor tenant" such as a convention center, lodge, hotel, or other facility that meets local needs and draws visitors.
4. Support new businesses, such as restaurants, breweries, tackle shops, tour operators, and general commercial and retail.
5. Supports boardwalks, park and open space, campgrounds and recreation, as well as expands and improves river access and the needed support facilities.
6. Integrate existing seafood plants into the overall revitalization effort to meet the community's desire to represent an authentic working waterfront; and,

WHEREAS, property in the Waterfront area is currently zoned Heavy Industrial, which is not consistent with the community's vision for a "Working Waterfront" area; and,

WHEREAS, rezoning the area will help to guide development in the area in a manner that is consistent with the community's vision and proposed land uses; and,

WHEREAS, since completion of the assessment, development has increased in the area with the expansion of a camping facility, construction of a new camping facility, and groundbreaking for a new brewery, consistent with the community's vision; and,

WHEREAS, in order to ensure future development is consistent, rezoning is a priority; and,

WHEREAS, due to staffing shortages in the Planning Department and the summer construction season, additional staffing is necessary to move forward with a project to rezone the waterfront area in a timely manner; and,

WHEREAS, a temporary project employee will provide sufficient staffing to complete the project before the end of 2023 in preparation for future development in the 2024 construction season and beyond; and,

WHEREAS, continuation of redevelopment strategies to maximize the potential of the Kenai waterfront area consistent with the community’s vision is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That estimated revenues and appropriations are increased as follows:

General Fund:

|   |                 |
|---|-----------------|
| Increase estimated revenues -             |                 |
| Appropriation of Fund Balance             | <u>\$13,750</u> |
| <br>                                      |                 |
| Increase/Decrease expenditures – Planning |                 |
| Salaries                                  | \$13,450        |
| Medicare                                  | 200             |
| Unemployment Insurance                    | 70              |
| Workers Compensation                      | <u>30</u>       |
|   | <u>\$13,750</u> |

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

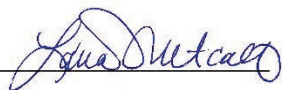
**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 16<sup>TH</sup> DAY OF AUGUST, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced August 2, 2023  
Enacted: August 16, 2023  
Effective: August 16, 2023





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Henry Knackstedt, Council Member  
**DATE:** July 21, 2023  
**SUBJECT:** **Ordinance 3366-2023 Waterfront Revitalization Property Rezone Supplemental Funding.**

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In 2022 the City contracted with McKinley Research Group to complete the Kenai Waterfront Revitalization Assessment, a project to identify redevelopment strategies to maximize the potential of the waterfront study area, consider existing and potential land use and zoning, and facilitate work sessions to determine the community’s vision for the area. The Kenai Waterfront area is approximately 160 acres adjacent to Bridge Access Road south of Millennium Square, east of the Kenai Senior Center, and including the Kenai City Dock. A copy of the assessment’s final report is available at:

[https://www.kenai.city/sites/default/files/fileattachments/city\\_manager/page/14191/mckinley\\_research\\_group\\_kenai\\_waterfront\\_revitalization\\_final\\_report\\_8.23.2022.pdf](https://www.kenai.city/sites/default/files/fileattachments/city_manager/page/14191/mckinley_research_group_kenai_waterfront_revitalization_final_report_8.23.2022.pdf).

The process included community meetings and discussions about goals and developing the vision for revitalizing the area. The community’s vision for the area was summarized in the Kenai Waterfront Revitalization Assessment in the following points:

1. The public desires and supports new development but not at the expense of impacting the existing uses, primarily the seafood plants, and the ability to access the Kenai River and its many resources.
2. The public wants revitalization to be authentic, protective of the river and natural environment, be accessible year-round, and provide economic opportunities.
3. There is a need to protect and celebrate the area’s history, culture, and outstanding views of the river, surrounding landscape, wildlife, and volcanoes.
4. The phrase, “Build it for the locals, and the visitors will love it” is important in meeting these criteria.

Community ideas for future land uses in the area included:

1. Consensus on mixed land uses
2. Limit development to low impact uses, such as recreation and water dependent uses, should be given priority
3. Create a destination facility or “anchor tenant” such as a convention center, lodge, hotel, or other facility that meets local needs and draws visitors

4. Support new businesses, such as restaurants, breweries, tackle shops, tour operators, and general commercial and retail
5. Supports boardwalks, park and open space, campgrounds and recreation, as well as expands and improves river access and the needed support facilities
6. Integrate existing seafood plants into the overall revitalization effort to meet the community's desire to represent an authentic working waterfront

The summer of 2023 has seen renewed interest in the area with the expansion of camping at the Port of Kenai Facility, construction of a new camping facility, and groundbreaking on the City's first brewery. Each of these uses is consistent with the community's vision and proposed land uses. However, to ensure future development remains consistent, rezoning of the area is needed and appropriate.

Ordinance 3366-2023 will provide sufficient funding to employ a temporary planner to assist with the rezoning process. Staffing shortages in the Planning Department have hindered its ability to move forward with a project to rezone the waterfront area. Completion of the rezone project in 2023 will ensure future development in the 2024 construction season and beyond are consistent with the community's vision and proposed land uses.

Your support for Ordinance 3366-2023 is respectfully requested.





# Waterfront Zoning District

## (Hybrid Form-Based Code Zoning and Comprehensive Plan Amendment)

### Project Approach/Methodology

Below is an overview of the anticipated approach and methodology to achieving a successful waterfront zoning district.

#### Task 1 – Background Assessment

**Task 1-A: Review existing conditions.** Consult with the City, visit the targeted area identified in the Kenai Waterfront Revitalization Assessment to document any changes of existing conditions identified in the plan, and reassess the overall condition of key components. These components will include the following categories.

- **ENVIRONMENTAL IMPROVEMENT**
  - Natural environment & ecological system
  - Energy efficiency
  - Water management
  - Storm water management
  - Waste management
  - Green neighborhood
  - Brownfield redevelopment
- **SOCIAL IMPACT**
  - Site development
  - Transit oriented development
  - Public accessibility
  - Provision of basic amenities
  - Strong expression of culture & heritage
- **ECONOMIC IMPACT**
  - Development of river based activities
  - Increase in real estate values
  - Development of existing economic activities on site
  - Improvement in tourist activities

**Task 1-B: Maintain regular meetings.** An initial meeting will confirm goals and objectives of assignment and to set a schedule of weekly or bi-weekly meetings.

## Task 2 – Inclusive Public Engagement

**Task 2-A: Assist with the design of outreach materials to attract diverse individuals for public engagement.** Assist the City with developing a series of outreach materials that will effectively communicate the project’s purpose and engage and encourage public participation in the process.

**Task 2-B: Identify stakeholders for public engagement.** The City recognizes the important role that community stakeholders play in the ongoing development of the community. Work with City’s staff to identify key stakeholders and will engage these entities to participate in and contribute to the process.

**Task 2-C: Determine best possible community engagement techniques to ensure equitable input.** Develop and employ techniques that illicit input from the Kenai businesses, property owners, residents, and visitors.

**Task 2-D: Assist with facilitating information gathering; community meetings.** Assist with information gathering and in organizing and facilitating meetings. Assist city staff with the process of data collection, both current and archival.

**Task 2-E: Compile the results of the community outreach work effort into the final plan report.** The final plan will, in part, incorporate information gathered during community outreach, research and interviews.

## Task 3- Zoning Code and Comprehensive Plan Update and Drafts

**Task 3-A: Draft Zoning Code and Comprehensive Plan Amendments.** Present proposed zoning and comprehensive plan amendments to the City officials and residents. Resubmit the DRAFT amendments showing any comments and feedback from the public meetings.

**Task 3-B: Review by Planning & Zoning Commission, City Council and Final Zoning Code and Comprehensive Plan Amendments.** In partnership with city staff, present draft Zoning Code and Comprehensive Plan amendments to the Planning Commission, and then to the City Council for discussion.

## Task 4 – Additional Tasks

In addition to the three (3) major tasks previously outlined, the following additional tasks may be needed:

**Task 6-A: Provide research and analysis as requested by the City.**

**Task 6-B: Attend public meetings as needed.**

**Task 6-C: Provide any other services as required to properly assist in administering the adoption of the zoning code and comprehensive plan amendments for the targeted area of the waterfront redevelopment.**

## Project Schedule

Below is a tentative project milestone chart.

| <i>Milestone</i>                            | <i>Tentative Target Dates</i> |
|---|-------------------------------|
| Planning & Zoning Commission Open House     | September 12, 2023            |
| Planning & Zoning Commission Work Session   | September 27, 2023            |
| Planning & Zoning Commission Public Hearing | September 27, 2023            |
| City Council – New Business (Introduction)  | September 4, 2023             |
| City Council – Public Hearing               | October 19, 2023              |
| Ordinance Enactment                         | November 19, 2023             |
| Borough Planning & Zoning Commission        | TBD                           |
| Borough Assembly                            | TBD                           |



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3367-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND – STREET DEPARTMENT FOR AWARD OF A CONTRACT TO REPLACE PUBLIC SIDEWALK AT 815 FRONTAGE ROAD.

WHEREAS, the Public Works Department in coordination with the property owners at 815 Frontage Rd, Paradisos Restaurant, have identified several large sections of failing concrete public sidewalk along the entrance of the business; and,

WHEREAS, a Proposal Quote Request (PQR) was released on June 30, 2023 with quotes due on July 14, 2023 to contract for the replacement of the damaged sidewalks, with the following quotes received;

| Contractor               | Quote    |
|--------------------------|----------|
| Blazy Construction       | \$34,942 |
| Foster Construction      | N/A      |
| Peninsula Construction   | N/A      |
| Polar North Construction | N/A      |
| Chumley's Inc.           | N/A      |
| BMGC, LLC                | N/A      |

and,

WHEREAS, all of the Contractors above were contacted with Blazy Construction being the only respondent; and,

WHEREAS, award to Blazy Construction is in the best interest of the City, with an anticipated completion date of the Work before September 14, 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the estimated revenues and appropriations be increased as follows:

General Fund:

|  |                 |
|--|-----------------|
| Increase Estimated Revenues –            |                 |
| Appropriation of Fund Balance            | <u>\$34,942</u> |
| Increase Appropriations –                |                 |
| Street Department - Repair & Maintenance | <u>\$34,942</u> |

**Section 2.** That the City Manager is authorized to execute a construction agreement and issue a purchase order to Blazy Construction in the amount of \$34,942 for replacement of damaged sidewalks along frontage road.

**Section 3.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 4.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 16<sup>TH</sup> DAY OF AUGUST, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: 

Introduced: August 2, 2023  
Enacted: August 16, 2023  
Effective: August 16, 2023



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** July 26, 2023  
**SUBJECT:** Ordinance 3367-2023 – Main Walk Replacement

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This project was brought to the department’s attention last year. With all the rain experienced last summer, contractors were so far behind on work that no one was interested in providing a bid. This season was similar, however we were able to get one contractor willing to take on the work. The public walk has continued to deteriorate in this area significantly with many sections displacing creating tripping hazards. This work is in coordination with the property owner who is assisting the department in preparation for the work. They are assisting with removal of planter and columns as example. Photo below is typical of current condition.

Side walk area is approximately 64’ x 11.5’ in front of the building as well as an 18’ x 4’ section near driveway to parking area. Contractor intends to complete work this fall. Council’s approval is respectfully requested.







Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-51**

A RESOLUTION APPROVING AN AMENDMENT TO THE LEASE FOR A PORTION OF LOT 3, BLOCK 17, ORIGINAL TOWNSITE OF KENAI BETWEEN THE CITY OF KENAI AND PENINSULA ART GUILD, INC. TO ACCOMMODATE AN EXISTING AND PROPOSED NEW SHED.

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WHEREAS, on May 23, 1995, the City entered into a lease with the Kenai Arts & Humanities Council for City-owned lands identified as a portion of Lot 3, Block 17, Original Townsite of Kenai and the building known as the Fine Arts Center (the Lease); and,

WHEREAS, since May 23, 1995, the rights under the Lease have been assigned to the Peninsula Arts Guild and the Lease has been amended over the years with regard to proposed construction plans for the property, to provide a building to house the Fine Arts Center, extend the lease, and clarify who is responsible for funding improvement or alteration projects; and,

WHEREAS, the premises under the Lease are leased at less than fair market value at a rate of \$1 per year to provide a City-owned building to house the Fine Arts Center for the benefit of the local community; and,

WHEREAS, the Peninsula Art Guild, d/b/a Kenai Arts Center, has successfully managed and improved the building for the community over the years; and,

WHEREAS, the Peninsula Art Guild has requested an amendment to its lease to accommodate an existing and proposed new shed; and,

WHEREAS, it is in the best interest of the City of Kenai to authorize the City Manager to enter into such an amendment with Peninsula Art Guild, d/b/a Kenai Arts Center on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

**Section 1.** That the Kenai City Council approves the Fifth Amendment to the Lease for a portion of Lot 3, Block 17, Original Townsite of Kenai.

**Section 2.** That the Kenai City Manager is authorized to enter into such Amendment with Peninsula Art Guild, d/b/a Kenai Arts Center.

**Section 3.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 16<sup>TH</sup> DAY OF AUGUST, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**FROM:** Terry Eubank, City Manager  
**DATE:** August 4, 2023  
**SUBJECT:** Resolution 2023-51 – Peninsula Art Guild Lease Amendment

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The City entered into a lease with the Kenai Arts & Humanities Council for City-owned lands identified as a portion of Lot 3, Block 17, Original Townsite of Kenai and the building known as the Fine Arts Center on May 23, 1995. The premises under the Lease are leased at less than fair market value at a rate of \$1 per year to provide a City-owned building to house the Fine Arts Center for the benefit of the local community and to support the Kenai Arts Community. The Lease has been amended and extended over and expires on December 31, 2035.

On August 1, 2023, Administration and Planning Director Linda Mitchell met with representatives from the Kenai Art Center and Kenai Potters' Guild to discuss amending the Lease to accommodate an existing and proposed new shed on the premises. Pursuant to the Lease, the Lessee will be required to submit a scope of work for approval by the City Manager prior to work being performed on the new shed, and the Lessee will be responsible for all necessary licenses and/or permits required.

The Peninsula Art Guild, d/b/a Kenai Arts Center, has successfully managed and improved the building for the community over the years and requested an amendment to the Lease to include the existing and proposed new shed in the description of the leased premises under the Lease. The Kenai Arts Center is in compliance with both the City and the Borough, and the City Attorney has reviewed the attached Amendment as to form.

If City Council approves the Lease Amendment, the City Manager will be authorized to sign the Amendment on behalf of the City, and the Amendment may be executed by the parties.

Thank you for your consideration.

Attachments:

Email from the Peninsula Art Guild, d/b/a Kenai Arts Center  
Map of Lot 3, Block 17 (816 Cook Avenue)  
Draft Amendment to Lease

**Terry Eubank**

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**From:** Marion Nelson <mmkn@ptialaska.net>  
**Sent:** Thursday, August 10, 2023 2:44 PM  
**To:** Terry Eubank  
**Subject:** Kenai Art Center Lease - 2:42pm

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**Terry Eubank**

City Manager  
City of Kenai | 907.283.8222  
[www.kenai.city](http://www.kenai.city)

Marion

Re the Lease between the City of Kenai and the Peninsula Art Guild/dba Kenai Art Center (KAC), the KAC wants and needs to be referred to in this manner. KAC respectfully requests the description of the property in the lease be amended to include the existing 12X20 "barn roof" or gambrel-roof shed style located near the rear & side of the KAC building and a second 12 X 20 shed (same style, color) to be installed close to the 1<sup>st</sup> shed. Both sheds to be seated on crushed rock and appropriately installed.

=====

Marion Nelson, Kenai Art Center BOD President  
907 398 8669  
[mmkn@ptialaska.net](mailto:mmkn@ptialaska.net)



**Legend**

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
  - Town Medium Volume
  - Town Low/Seasonal; Other
  - Proposed
- Parcels
- Image
  - Red: Red
  - Green: Green
  - Blue: Blue

KPB Parcel No. 04710105  
816 Cook Avenue

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. It is not to be used for navigation.



## FIFTH AMENDMENT TO LEASE

**THIS Fifth Amendment to Lease** is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between the CITY OF KENAI (City), a municipal corporation whose address is 210 Fidalgo Avenue, Kenai, Alaska 99611, and PENINSULA ART GUILD, INC. (Lessee), whose address is P.O. Box 703, Kenai, Alaska 99611-0703.

### WITNESSETH

**WHEREAS**, on May 23, 1995, the City entered into a lease with the Kenai Arts & Humanities Council for City-owned lands identified as A portion of Lot 3, Block 17, Original Townsite of Kenai and the building known as the Fine Arts Center, which lease was recorded at Book 464 Pages 768-776 on June 13, 1995, in the Kenai Recording District, Third Judicial District, State of Alaska (the Lease); and,

**WHEREAS**, since May 23, 1995, the rights under the Lease have been assigned to the Peninsula Arts Guild; and,

**WHEREAS**, an Amendment to Lease recorded at Book 486 Pages 465-466 on June 13, 1996 extended the term of the Lease to June 30, 2015 and required the Lessee to submit to the City Council, for approval, any proposed construction plans for the property; and,

**WHEREAS**, a Second Amendment to Lease recorded on December 26, 2013, under Document Number 2013-012032-0, extended the term of the Lease until December 31, 2020 and to amend the purpose to provide a building to house the Fine Arts Center for the benefit of the local community; and,

**WHEREAS**, a Third Amendment to Lease recorded on January 30, 2017, under Document Number 2017-000659-0, extended the term of the Lease until December 31, 2035 to justify future building maintenance and repair expenditures, satisfy multi-year grant funding requirements, and pursue future funding opportunities; and,

**WHEREAS**, a Fourth Amendment to Lease recorded on September 2, 2021, under Document Number 2021-009750-0, amended section 18 of the lease to clarify who is responsible for the funding of any projects in the future; and,



**WHEREAS**, the parties have agreed to amend the property description to include an area in which an existing and proposed new shed are located.

**NOW THEREFORE**, the parties agree as follows:

- 1. The description of the property in the Lease is amended as follows:

A portion of Lot 3, Block 17, Original Townsite of Kenai, located in the Kenai Recording District, Third Judicial District, State of Alaska, more specifically described as the building known as the Fine Arts Center, along with the grounds beneath such building, so much of those grounds immediately adjacent to such building as will provide ingress and egress to and from such building and access to all portions of the exterior of the building for purposes of repair and maintenance, and a 30 foot by 70 foot rectangular area in the rear of the building as detailed in Attachment A.

- 2. Except as expressly modified or stated herein, all other terms and conditions of the Lease (as amended) remain in full force and effect.

**CITY OF KENAI**

By: \_\_\_\_\_  
 Terry Eubank  
 Its: City Manager

**PENINSULA ART GUILD**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Its: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
 Scott Bloom  
 City Attorney

State of Alaska )  
 ) ss  
Third Judicial District )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023,  
by Terry Eubank, City Manager for the City of Kenai.

\_\_\_\_\_  
Notary Public of Alaska  
My Commission Expires: \_\_\_\_\_

State of Alaska )  
 ) ss  
Third Judicial District )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023,  
by \_\_\_\_\_ (Name), \_\_\_\_\_ (Title), on behalf of  
PENINSULA ART GUILD, INC, a Alaska Corporation, on behalf of the Corporation.

\_\_\_\_\_  
Notary Public of Alaska  
My Commission Expires: \_\_\_\_\_

RETURN TO:

CITY OF KENAI  
210 Fidalgo Avenue  
Kenai, AK 99611-7794



Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-52**

A RESOLUTION AUTHORIZING A CONTRACT AWARD AND CORRESPONDING PURCHASE ORDER FOR THE CEMETERY PHASE 2 FENCING PROJECT.

WHEREAS, a formal Invitation to Bid was released on July 26, 2023 with bids due on August 9, 2023 for the Cemetery Phase 2 Fencing project located at 109 Floatplane Rd. which consists of approximately 1000 lineal feet of 6 feet tall ornamental black steel fencing and associated gates; and,

WHEREAS, the following bids were received:

| Contractor      | Bid       |
|-----------------|-----------|
| AAA Fence, Inc. | \$147,595 |

; and,

WHEREAS, AAA Fence, Inc. was found to be the lowest responsive and responsible bidder; and,

WHEREAS, award to AAA Fence, Inc. is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

**Section 1.** That the City Manager is authorized to execute a contract award and corresponding purchase order to AAA Fence, Inc. in the amount of \$147,595.

**Section 2.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 16<sup>TH</sup> DAY OF AUGUST, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** August 9, 2023  
**SUBJECT:** **Resolution 2023-52**

---

The purpose of this memo is to request council's approval to award a construction contract and corresponding purchase order to AAA Fence, Inc in the amount of \$147,595 for the complete installation of the new cemetery fencing project located at 109 Floatplane Rd.

Photos below indicate what the fencing will look like as well as a site map showing the route the fence line will take. Please note the western side of the cemetery where the creek resides will not be receiving fencing due to concerns with wildlife getting into the fenced area without a clear path to get back out. It was decided to leave the area open so any moose visiting the area can safely get away from any people visiting the cemetery.

With Council's approval of this contract, fence materials will be ordered quickly with the intent that all work will be done within 90 calendar days from the contractor's notice to proceed.

This fencing work is a component of a larger project dating back to 2017 when \$250,000 was originally appropriated through the FY18 budget. Nelson Engineering was contracted in March 2018 to assist with the design of the cemetery expansion. Shortly after that it was determined the scope of the project was going to well exceed the initial budget.

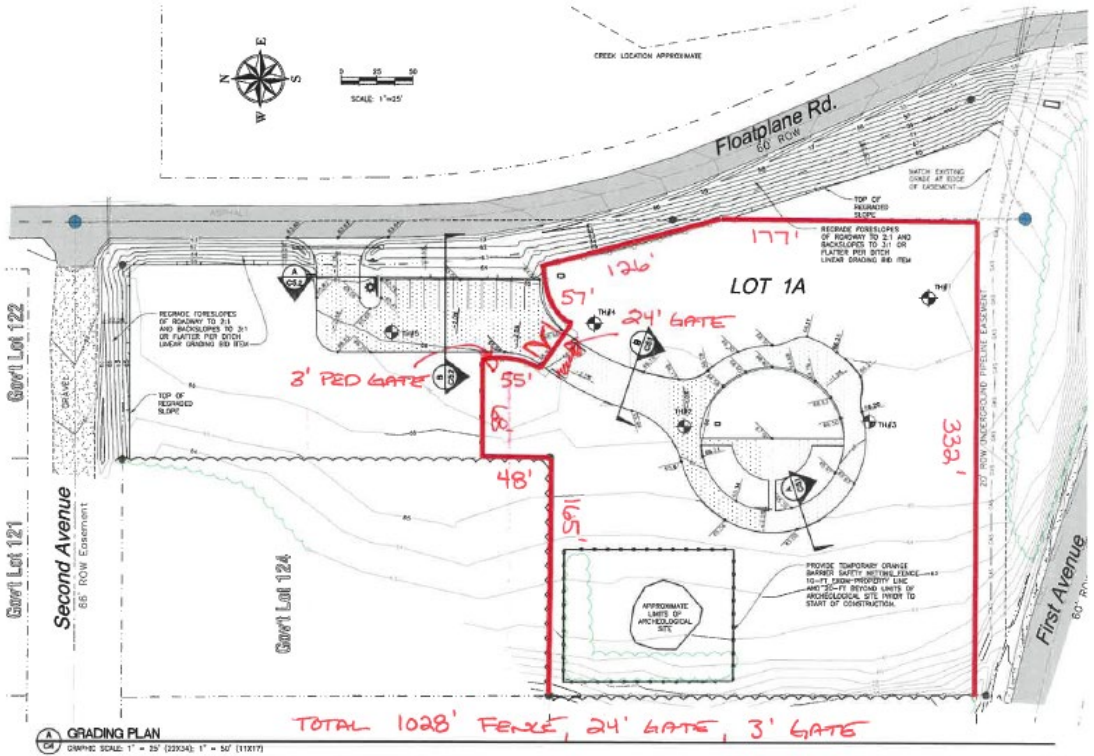
In 2019 the Public Works Streets Department in an effort to stretch the budget cleared and leveled the site and installed gravel sub-base in the proposed asphalt parking and driving areas incurring approximately \$40,000 in costs. The project stalled during much of 2020 and 2021, largely due to COVID demands on personnel and allocations of staff time toward other projects. In the fall of 2021 Public Works Streets staff in coordination with Parks & Rec staff graded and placed top soil throughout the cemetery and seeded the lawn areas, incurring an approximate additional \$18,000 in costs.

Today staff is working toward getting the cemetery in a more presentable appearance with this fence project, finalizing grading plans with the Engineers to be able to pave parking areas, working to identify remaining desired items like future columbarium, site lighting, landscaping needs to name a few.

Council support is respectfully requested.



ORNAMENTAL STEEL FENCE



**KENAI CITY COUNCIL – REGULAR MEETING  
AUGUST 2, 2023 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
MAYOR BRIAN GABRIEL, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai City Council was held on August 2, 2023, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

Mayor Gabriel led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Brian Gabriel, Mayor  
Tea Winger  
Alex Douthit

Henry Knackstedt  
Deborah Sounart  
Victoria Askin

A quorum was present.

Absent:

James Baisden, Vice Mayor

Also in attendance were:

Terry Eubank, City Manager  
David Swarner, Finance Director  
Dave Ross, Police Chief  
Linda Mitchell, Planning Director  
Scott Curtin, Public Works Director  
Tyler Best, Parks and Recreation Director  
Shellie Saner, City Clerk

**3. Agenda Approval**

Mayor Gabriel noted the following additions to the Packet:

Add item E.3.

**Public Hearing - Resolution No. 2023-49**

- Public Comments

Add item H.8.

**Discussion/Action - Radio Advertising**

- Informational Memo
- Public Comment

Add item P

**Informational Items**

- Kenai Peninsula Borough Resolution 2023-053 - Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation and Voting in Local Elections.

**MOTION:**

Council Member Knackstedt **MOVED** to approve the agenda and consent agenda with the requested revisions. Council Member Askin **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Mayor Gabriel opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**; without objection.

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. SCHEDULED ADMINISTRATIVE REPORTS** - None.

**C. SCHEDULED PUBLIC COMMENTS** - None.

**D. UNSCHEDULED PUBLIC COMMENTS** - None.

**E. PUBLIC HEARINGS**

1. **Ordinance No. 3364-2023** - Increasing Estimated Revenues and Appropriations in the Water and Sewer Capital Project Fund for Replacement of an Existing Cemetery Creek Culvert with a Fish Passage Culvert. (Administration) *[KMC 1.15.070(d)]*

**MOTION:**

Council Member Knackstedt **MOVED** to introduction Ordinance 3364-2023. Council Member Winger **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to introduce.

**VOTE:** Motion **APPROVED**; without objection.

**MOTION:**

Council Member Knackstedt **MOVED** to conduct the second reading of Ordinance 3364-2023. Council Member Sounart **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to conduct the second reading.

**VOTE:** Motion **APPROVED**; without objection.

**MOTION:**

Council Member Knackstedt **MOVED** to enact Ordinance No. 3364-2023. Council Member Winger **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that Cemetery Creek was determined to have one of the highest populations of Coho and Chinook salmon smolt on the lower Kenai River; although it was not a spawning grounds, it is a salmon rearing ground for one- and two-year old smolt; US Fish and Wildlife Service will provide technical direction and funding; the City will provide design and construction management; and Kenaitze Indian Tribe will apply for federal funding to complete the project.

**VOTE:**

YEA: Sounart, Knackstedt, Douthit, Askin, Gabriel, Winger

NAY: None

ABSENT: Baisden

**MOTION PASSED.**

2. **Resolution No. 2023-48** - Approving Development Incentives for a Lease of the Airport Reserve Lands Between the City of Kenai and Schilling Rentals, LLC on Lot 3, Block 1, General Aviation Apron No. 1 Amended. (Administration)

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-48. Council Member Winger **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that although the work was not fully complete excavation was in progress; a development incentive application for an estimated project cost of \$208,000 was received in June; and a building permit application was submitted in July for a 6,000 square foot hangar.

**UNANIMOUS CONSENT** was requested.

**VOTE:** Motion **APPROVED**, without object.

3. **Resolution No. 2023-49 - Declaring the Rights-of-Way of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) are No Longer Needed for a Public Purpose and Consenting to Vacation of the Rights-of-Way. (Administration)**

**MOTION:**

Council Member Knackstedt **MOVED** to adopt Resolution No. 2023-49. Council Member Winger **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment.

Ryan Tunseth, Board Member of the Boys & Girls Club of the Kenai Peninsula (BGCKP) apologized to the Council for not having any board members present when this item was before the Planning & Zoning Commission; and stated he should have been there.

Kyle Kornelis, Secretary-Treasurer of the BGCKP addressed the Council in support of the resolution as written; understood and supported the neighbor's request for additional time; and stated that the BGCKP would appreciate the addition of any square footage which would be put to good use.

Taylor Evans, addressed the Council in support of the vacation of Char Circle; requested additional time to work with the BGCKP to understand the effects to his father's property to the south of the of the proposed vacation of S. Spruce Street.

There being no one else wishing to be heard, the public comment period was closed.

**MOTION TO POSTPONE:**

Council Member Knackstedt **MOVED** to postpone Resolution 2023-49 to the September 6, 2023 regular City Council Meeting. Council Member Askin **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to postpone.

**VOTE:** Motion **APPROVED**; without objection.

*[Clerk's Note: Vice Mayor Baisden remotely joined the meeting at 6:27 p.m.]*

## F. MINUTES

1. \*Regular Meeting of July 5, 2023. (City Clerk)

## G. UNFINISHED BUSINESS – None.

## H. NEW BUSINESS

1. \***Action/Approval** - Bills to be Ratified. (Administration)

Approved by the consent agenda.

2. \***Action/Approval** - Assignment and Assumption of Lease Agreement of Lot 5, Block 1, Gusty Subdivision Addition No. 1 Amended to Braden Ellis. (Administration)

Approved by the consent agenda.

3. \***Action/Approval** - Amending an Employment Agreement between the City of Kenai and City Manager, Terry Eubank. (Gabriel)

Approved by the consent agenda.

4. \***Ordinance No. 3365-2023** - Increasing Estimated FY2023 Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for August 16, 2023.

5. \***Ordinance No. 3366-2023** - Increasing Estimated Revenues and Appropriations in the General Fund - Planning Department to Complete Rezoning of the Kenai Waterfront Area as Identified in the 2022 Kenai Waterfront Revitalization Assessment. (Knackstedt)

Introduced by the consent agenda and Public Hearing set for August 16, 2023.

6. \***Ordinance No. 3367-2023** - Increasing Estimated Revenues and Appropriations in the General Fund - Street Department for Award of a Contract to Replace Public Sidewalk at 815 Frontage Road. (Administration)

Introduced by the consent agenda and Public Hearing set for August 16, 2023.

7. **Discussion/Action** - Commission, Committee and Council on Aging Direction. (Gabriel)

There was discussion regarding the proposed timeline; the intent to provide more engagement with the commissions; transparency with the commissions, council, administration and public; ensuring the goals of the commissions aligned with the City Council goals; and allowing the commissions to take a deeper strategic review of their roles.

### **MOTION:**

Council Member Knackstedt **MOVED** to direct the administration to move forward with the proposed Commission, Committee and Council on aging engagement and timeline. Council Member Winger. **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion.

**VOTE:** There being no objection; **SO ORDERED.**

8. **Discussion/Action** - Radio Advertising. (Douthit)

There was discussion regarding how the City would be able to evaluate whether radio advertising was beneficial; the radio campaigns in place by other local municipalities; the number of community members who listen to local radio in their vehicles; parents who listen to the radio for school updates; concerns that additional advertising would not increase meeting attendance; what challenges may be faced managing content; previously the radio stations would contact an elected official for an overview of the agenda; and a general consensus that the Council would like to see an official legislative item brought forward proposing the use of radio prior to taking action on this issue.

## **I. COMMISSION / COMMITTEE REPORTS**

### 1. Council on Aging

Council Member Sounart reported on the July 13, 2023 Work Session, next meeting August 10, 2023.

### 2. Airport Commission

Council Member Askin reported on the July 13, 2023 Work Session, next meeting August 10, 2023.

### 3. Harbor Commission

No report, next meeting August 7, 2023.

### 4. Parks and Recreation Commission

No report, next meeting cancelled.

### 5. Planning and Zoning Commission

Vice Mayor Baisden reported on the July 26, 2023 meeting, next meeting August 23, 2023.

### 6. Beautification Committee

No report, next meeting September 12, 2023.

## **J. REPORT OF THE MAYOR**

Mayor Gabriel noted his disappointment that he had not set a net at all this year due to fishery restrictions and reported on the following:

- Cutting the ribbon at the Bark Park opening, noting that the murals had turned out very nice.
- Stated his appreciation for all of the departments, noting the mid-month reports in the packet.

## **K. ADMINISTRATION REPORTS**

### 1. City Manager – City Manager Eubank reported on the following:

- Introduced the new Finance Director, David Swarner.
- Personal Use Fishery concluded on Monday with revenues being \$3,000 less than projected.
- Meeting of the Old Town Playground Design Committee.
- Provided an update regarding the 2021 report that there were no more memorial locations available in the Leif Hanson Park; and staff was working toward opening more spaces.
- Recent notification that the City was eligible for a \$1.2 million drinking water fully reimbursable loan.
- At the request of the Department of Forestry a Fire Truck and Fire Fighters were dispatched to Fairbanks to assist with their current fires.
- Thanked all of the volunteers who worked on the Bark Park.
- Provided a Status Update regarding the Bluff Stabilization Project.
-

- The Leif Hanson water fountain did not have a pump issue, the issue is with water access and staff was looking into the problem.
2. City Attorney - No report.
  3. City Clerk – City Clerk Saner reported on the following:
    - Student Representative Applications were distributed to the schools within the City of Kenai that had eligible students.
    - A September 9, 2023 volunteer project schedule at the cemetery to take photographs of the headstones and upload them to the City database.
    - That Kenai Peninsula Borough Resolution 2023-48 placing an advisory question to the voters regarding moving the Election date to align with state elections failed to adopt.
    - Kenai Peninsula Borough Resolution 2023-53 forming a voter turnout working group was adopted, an action item recommending appointing the Kenai City Clerk would be brought forward.
    - Candidate filing period is open, closes on August 15, 2023 at 4:30 p.m. and the ballot name placement procedure would take place in public at 5:00 p.m.

#### **L. ADDITIONAL PUBLIC COMMENTS**

##### 1. Citizen Comments (*Public comments limited to (5) minutes per speaker*)

Marion Nelson addressed the Council regarding the upcoming show; an upcoming student dance performance; and the annual September Harvest Auction.

Aaron Swanson addressed the Council regarding future plans for bringing Pita Pit coming to the City of Kenai and staying in alignment with the Pita Pit Corporation requirements.

Kyle Kornelis addressed the Council regarding the interactions of City Employees with his Mother, noting that she has let him know that she has a great relationship with the City Employees.

##### 2. Council Comments

Council Member Douthit noted that the Personal Use Fishery went off well and complimented staff involved; and reminded everyone that the Kenai Art Center, First Friday show is coming up.

Council Member Sounart thanked everyone involved with the Personal Use Fishery and the Bark Park, noting she had taken her dog and it was a delight.

Council Member Askin thanked staff for taking the steps necessary to be eligible for the drinking water loan; and noted her appreciation for everyone involved in the Personal Use Fishery.

Council Member Winger stated she was glad the Personal Use Fishery was over, noting the number of boats coming through town; reminded everyone that school starts on August 15; stated that Bark Park looks great; and that she was looking forward to the Silver Salmon Derby and the Kenai River Marathon.

Council Member Knackstedt welcomed new Finance Director David Swarner; noted that staff was helpful and professional when he used the boat ramp for the first time during the Personal Use Fishery; and family visiting were very impressed with our town.

#### **M. EXECUTIVE SESSION** - None.

#### **N. PENDING ITEMS**



1. Kenai Peninsula Borough Resolution 2023-53 - Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation and Voting in Local Elections.

**O. ADJOURNMENT**

**P. INFORMATIONAL ITEMS - None.**

There being no further business before the Council, the meeting was adjourned at 7:36 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 2, 2023.

---

Michelle M. Saner, MMC  
City Clerk

*\*\* The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*

DRAFT

**PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION**  
**COUNCIL MEETING OF: AUGUST 16, 2023**

| <b>VENDOR</b> | <b>DESCRIPTION</b> | <b>DEPARTMENT</b> | <b>ACCOUNT</b> | <b>AMOUNT</b> |
|---------------|--------------------|-------------------|----------------|---------------|
| PERS          | PERS               | VARIOUS           | LIABILITY      | 111,543.40    |
| PREMERA       | AUGUST PREMIUM     | VARIOUS           | INSURANCE      | 204,585.40    |

**INVESTMENTS**

| <b>VENDOR</b> | <b>DESCRIPTION</b> | <b>MATURITY DATE</b> | <b>AMOUNT</b> | <b>Effect. Int.</b> |
|---------------|--------------------|----------------------|---------------|---------------------|
|---------------|--------------------|----------------------|---------------|---------------------|



## MEMORANDUM

**TO:** Council Members

**FROM:** Brian Gabriel, Mayor

**DATE:** August 4, 2023

**SUBJECT:** **Recommending the Kenai Peninsula Borough Assembly Appoint Kenai City Clerk, Shellie Saner to the Kenai Peninsula Borough Voter Turnout Working Group**

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On August 1, 2023 the Kenai Peninsula Borough (KPB) Assembly adopted Resolution 2023-053 - Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation, and Voting in Local Elections.

KPB Resolution 2023-053 establishes that the working group is intended to include the City Clerk’s from the six City’s within the Kenai Peninsula Borough, provided the appointment is supported by the City Councils.

Pursuant to KPB Resolution 2023-053, Section 2, the Kenai City Council supports the appointment of Kenai City Clerk Shellie Saner to the KPB Voter Turnout Working Group.

Your consideration is appreciated.

|                |                       |
|----------------|-----------------------|
| Introduced by: | Cox, Hibbert          |
| Date:          | 08/01/23              |
| Action:        | Adopted as Amended    |
| Vote:          | 9 Yes, 0 No, 0 Absent |

**KENAI PENINSULA BOROUGH  
RESOLUTION 2023-053**

**A RESOLUTION ESTABLISHING A VOTER TURNOUT WORKING GROUP TO  
EXPLORE ACTIONABLE OPTIONS AND IDEAS AIMED AT INCREASING  
AWARENESS, PARTICIPATION, AND VOTING IN LOCAL ELECTIONS**

**WHEREAS,** the Kenai Peninsula Borough Assembly (“Assembly”) recognizes the importance and value of a higher voter turnout for local election; and

**WHEREAS,** local elections directly impact day-to-day lives of Borough residents; and

**WHEREAS,** increased participation in local elections and an informed citizenry is of paramount importance in a democratic republic form of government; and

**WHEREAS,** this resolution establishes a Voter Turnout working group for the specific purpose of exploring actionable options and ideas to increase voter awareness, participation, and turnout; and

**WHEREAS,** the Borough prioritizes open access for qualified voters to choose elected officials by free and secret ballot; and

**WHEREAS,** the Borough also prioritizes nonpartisan, factual, election information, and secure and accurate election administration;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** The Voter Turnout working group is directed to specifically focus its meetings to explore actionable options and ideas to present to the Assembly that are aimed at increasing awareness, participation, and voting in local elections, including but not limited to, changing the Borough election day to align with that of the State of Alaska.

**SECTION 2.** The members of the working group will include 14 members comprised as follows, subject to individual availability and willingness to participate on the working group: the Borough (1) and City Clerks (6); two community members chosen by the Mayor; one community representative qualified to represent the interests of persons with physical, visual, reading or impairments that affect one’s ability to vote privately; two members of the Borough’s canvass board; one member representing the League of Women Voters; and one member representing the Kenai

Peninsula Votes group. Members will be appointed by the Assembly at its regular meeting on September 19, 2023. If a City Clerk is unable or not authorized by a respective city council to participate on the working group, a designee with requisite election experience or expertise may serve in the city clerk’s place and if a city does not provide an alternate then the seat will not be filled.

**SECTION 3.** The Voter Turnout working group will meet at least 3 times reserving the option for more meeting times, as needed, to the discretion of the group.

**SECTION 4.** Subject to availability, the Voter Turnout working group will be staffed and noticed by the Borough Clerk’s Office, and the Borough Legal Department.

**SECTION 5.** The Voter Turnout working group is subject to Alaska Open Meetings Act and will use Robert’s Rules of Order to conduct business.

**SECTION 6.** The Voter Turnout working group is not authorized to act or communicate on behalf of the Borough other than to make recommendations to the Assembly.

**SECTION 7.** The Voter Turnout working group will present a list of prioritized actionable recommendations to the Assembly no later than the first meeting in March 2024. Upon providing its report to the Assembly, the working group will automatically terminate.

**SECTION 8.** That this resolution takes effect immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF AUGUST, 2023.**

*Brent Johnson*  
\_\_\_\_\_  
Brent Johnson, Assembly President

ATTEST:  
*Michele Turner*  
\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk



- Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Ribbens, Tupper, Johnson
- No: None
- Absent: None

# Kenai Peninsula Borough Assembly

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## MEMORANDUM

**TO:** Brent Johnson, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Tyson Cox, Assembly Vice President *TRC*  
Brent Hibbert, Assembly Member *BH*

**DATE:** July 20, 2023

**SUBJECT:** Resolution 2023-*53*, Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation, and Voting in Local Elections (Cox) (Hibbert)

---

This resolution is brought forward for consideration in response to the comments made during our July 11th Assembly meeting regarding Resolution 2023-48, proposing to place an advisory question on the ballot regarding changing the Borough's regular election date. Many of the comments, in favor of and in opposition to, by the public and Assembly members, echoed the same sentiment: establishing a higher voter turnout in local elections is important.

Changing the Borough's regular election date should be considered, but not as a cure all for our dismal local election voter turnout. It should be considered as a part of the possible solution as there may be other actionable items that can assist or even outproduce an election date change when considering cost, functionality, and the increased voter participation from such changes for both even and odd years.

In recognition of our need for increased local election involvement this resolution is an alternative to Resolution 2023-48 that would establish a Voter Turnout working group comprised of members with experience in elections so we can ask them what actionable recommendations they think will help raise awareness of upcoming elections, participation, and voting in local elections. The group will only meet for a short time as to not create a long, drawn-out process. The group will end after it submits its recommendations on or before the Assembly's first meeting in March of 2024.

Local elections are important. They greatly impact the day-to-day lives of Borough residents. We should always strive to provide objective and factual election information with the goal of increasing civic engagement. Our entire Kenai Peninsula Borough community benefits from a collective commitment to holding secure, accessible, nonpartisan, local elections with a high voter turnout. An informed, high voter turnout in local elections leads to a better representative form of government for our Borough.

Your consideration is appreciated.



Sponsored by: Administration

**CITY OF KENAI  
ORDINANCE NO. 3368-2023**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT SPECIAL REVENUE AND AIRPORT OPERATIONS FACILITY CAPITAL FUNDS TO PROVIDE SUPPLEMENTAL FUNDING FOR THE KENAI MUNICIPAL AIRPORT OPERATIONS FACILITY BOILER AND HVAC CONTROLS REPLACEMENT PROJECT.

WHEREAS, MBA Consulting Engineers, Inc. contracted with the City on October 31, 2022 to develop bid ready construction documents for the Kenai Municipal Airport (KMA) Operations Facility Boiler and HVAC Controls Replacement project; and,

WHEREAS, during the course of their work in developing the project numerous issues relating to the facility’s mechanical system have come to light; and,

WHEREAS, the scope of the project will now include replacement of both existing boilers, and replacement of multiple failed zone control valves within the heating system; and,

WHEREAS, this additional scope of work requires appropriation of additional funds in order for the project to be released for bid; and,

WHEREAS, construction documents have been finalized and the project is ready for bid release pending Council’s approval of this Ordinance; and,

WHEREAS, completion of this work will significantly reduce the utility costs for this facility and safeguard the City’s investment in the apparatus equipment stored within this facility; and,

WHEREAS, staff is coordinating with the Federal Aviation Administration to determine if the project is eligible for Airport Improvement Program grant funding.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

**Section 1.** That the estimated revenues and appropriations be increased as follows:

Airport Special Revenue Fund:

Increase Estimated Revenues –  
Appropriation of Fund Balance \$350,000

Increase Appropriations –  
Transfer to Airport Operations Facility Capital Project Fund \$350,000

Airport Operations Facility Capital Project Fund:

Increase Estimated Revenues –  
Transfer from Airport Special Revenue Fund \$350,000

Increase Appropriations:  
KMA Operations Facility Boiler & HVAC Controls Replacement Project –  
Construction \$350,000

**Section 2.** Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

**Section 3.** Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2023.

\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:

\_\_\_\_\_  
Michelle M. Saner, MMC, City Clerk

Approved by Finance: \_\_\_\_\_

Introduced: August 16, 2023  
Enacted: September 6, 2023  
Effective: September 6, 2023





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** August 9, 2023  
**SUBJECT:** Ordinance 3368-2023

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The Kenai Municipal Airport Operations Facility Boiler and HVAC Controls Replacement project is now approaching construction bid release. The design team and public works staff have worked through several ongoing issues with identifying failed zone control valves and their effect on the building's control system. The project scope has now grown from the intention of replacing one boiler and a few control points, to replacing both boilers and restoring all zone controls to working condition.

The facility and existing equipment were constructed in 2002. We typically hope to get 25 years out of our commercial boilers and are falling a little short in this case. The additional cost to continue running the equipment in this manner along with the increased risk to the facility due to long lead times on equipment replacements were the determining factors in addressing these concerns now.

The boilers specified for the project are the same make and models used in the Vintage Point project as well as in current use at the Alaska Regional Fire Training facility. Staff is familiar with working on these, and the equipment's newer technology has provided proven energy savings. The Airport Manager and Public Works Director are coordinating with our FAA counterparts to establish a grant to assist with paying for these improvements.

The Operations Facility houses equipment of significant cost and importance to the City. Completion of this project at this time is in the best interest of the City. Council's approval is respectfully requested.



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | [www.kenai.city](http://www.kenai.city)

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Swarner, Finance Director

**DATE:** August 10, 2023

**SUBJECT:** **Approving Officials Bond Amounts for City Manager, City Clerk and Finance Director**

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The purpose of this memo is to request approval for the bonding amounts of the City Manager, City Clerk and Finance Director. Kenai Municipal Charter Section 4-3 Official Bonds requires the City Administrator, the Finance Director, the City Treasurer, and other officers and employees as the Council may designate to be bonded for the faithful performance of their respective duties in such amounts as the Council may prescribe and the City shall pay the premiums.

The City's general liability insurance policy provides \$500,000 for employee dishonesty coverage for all City employees. In addition to this coverage, Council set the bonding amount for these positions at \$100,000 for FY2023. \$100,000 is the maximum inexpensive bonding amount available to the City. Higher amounts which include employee dishonesty provisions have been quoted in the past at \$1,750 per position for an additional \$500,000 of coverage for a total cost of \$5,250. The purchase of bonds in the amount of \$100,000 will provide \$600,000 of coverage for each position at a total cost of \$359.

I respectfully request a motion approving \$100,000 as the prescribed bonding amount for the City Manager, City Clerk and Finance Director positions respectively for FY2024.

**KENAI HARBOR COMMISSION – REGULAR MEETING  
AUGUST 7, 2023 – 6:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611**

**ACTION MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Harbor Commission was held on August 7, 2023, in City Hall Council Chambers, Kenai, AK. Director Scott Curtin called the meeting to order at approximately 6:00 p.m.

**1. Pledge of Allegiance**

**2. Roll Call**

There were present:

David Peck  
John Coston

Bob Peters

A quorum was not present.

Absent:

Nate Berga, Vice Chair

Lisa Gabriel

Also in attendance were:

Scott Curtin, Public Works Director  
Lisa List, Public Works Administrative Assistant  
Alex Douthit, City Council Liaison

**3. Election of Chair and Vice Chair**

**4. Agenda Approval**

**B. SCHEDULED PUBLIC COMMENTS**

**C. UNSCHEDULED PUBLIC COMMENTS**

**D. APPROVAL OF MEETING SUMMARY**

- 1. August 8, 2022
- 2. November 8, 2022
- 3. April 10, 2023

**E. UNFINISHED BUSINESS – None.**

**F. NEW BUSINESS**

- 1. **Discussion** - City of Kenai Commissions, Committees and Council on Aging Review

**G. REPORTS**

- 1. Public Works Director
- 2. Commission Chair
- 3. City Council Liaison

H. **ADDITIONAL PUBLIC COMMENTS**

I. **NEXT MEETING ATTENDANCE NOTIFICATION** – September 11, 2023.

J. **COMMISSION QUESTIONS AND COMMENTS**

K. **ADJOURNMENT**

L. **INFORMATIONAL ITEMS**

Due to a lack of a quorum, the meeting was adjourned at approximately 6:15 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of August 7, 2023.

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Meghan Thibodeau  
Deputy City Clerk

DRAFT

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
JULY 26, 2023 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on July 26, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Jeff Twait, Chair  
Gary Greenberg  
John Coston  
Gwen Woodard

Joe Halstead, Vice Chair  
Jim Glendening  
Diane Fikes

A quorum was present.

Absent:

None

Also in attendance were:

James Baisden, City Council Liaison  
Linda Mitchell, Planning Director  
Meghan Thibodeau, Deputy City Clerk

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Vice Chair Halstead **MOVED** to approve the agenda and consent agenda. Commissioner Woodard **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED.**

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of July 26, 2023

Approved by the consent agenda.

**C. SCHEDULED PUBLIC COMMENTS** - None.

**D. UNSCHEDULED PUBLIC COMMENTS** - None.

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2023-13** – Recommending Approval for Preliminary Plat – City Park 2023 Replat for a Parcel Merger of Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision and the Right-of-Way Vacations of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) in the Suburban Residential (RS) and Urban Residential (RU) Zoning Districts.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-13. Vice Chair Halstead **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet. Zoning and uses of surrounding lots were reviewed; staff recommended approval subject to the following conditions:

1. Kenai City Council must consent to the right-of-way (ROW) vacations of Char Circle and a portion of S. Spruce Street are not needed for a public purpose and approve the ROW vacations as shown on the proposed preliminary plat.

Chair Twait opened the floor for public comment; there being no one wishing to be heard, the public comment period was closed.

**MOTION TO AMEND:**

Commissioner Greenberg **MOVED** to amend the recommendation so that S. Spruce Street not be vacated. Commissioner Fikes **SECONDED** the motion.

**VOTE ON AMENDMENT:**

YEA: Fikes, Woodard, Glendening, Greenberg, Halstead, Twait, Coston

NAY: None

**MOTION PASSED UNANIMOUSLY.**

**VOTE ON MAIN MOTION AS AMENDED:**

YEA: Coston, Greenberg, Halstead, Fikes, Woodard, Glendening, Twait

NAY: None

**MOTION PASSED UNANIMOUSLY.**

2. **Resolution PZ2023-14** – Recommending Approval for Preliminary Plat – Shoreline Heights 2023 Addition to Subdivide Tracts A, B, and C of Shoreline Heights 2014 Addition Phase 1 Subdivision into 17 Lots Located at 1540, 1541, and 1610 Pey Drive (Parcel IDs: 03914131, -32, and -33) in the Rural Residential (RR) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-14. Vice Chair Halstead. **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet. Zoning and uses of surrounding lots were reviewed; staff recommended approval.

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

Applicant Bryan Lowe responded to questions asked by the Commission.

**VOTE:**

YEA: Greenberg, Glendening, Halstead, Twait, Woodard, Coston, Fikes

NAY: None

**MOTION PASSED UNANIMOUSLY.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2023-16** – Granting an Encroachment Permit for a Single-Family Residence to Encroach into the Required (North) Side Yard Setback on the Property Located at 1436 Pey Drive (Parcel ID: 03914146) in the Rural Residential (RR) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-16. Commissioner Coston **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant is requesting an encroachment permit to allow the home to encroach approximately 16.8 inches into the required side yard setback on the north parcel line. Existing uses, land use designation, surrounding uses, and criteria for encroachment permits were reviewed; it was noted the application met the criteria and City staff recommends approval.

Chair Twait opened for public hearing. There being no one wishing to be heard, the public hearing was closed.

It was noted that this is a common occurrence in town. Clarification was provided that an encroachment up to 12 inches can be approved administratively, but because it exceeds that by 4.8 inches it needed to be brought to the commission for approval.

In response to questions from the Commission, applicant Bryson Lowe clarified that the driveway on Lot 22 was put in for that lot but has since been moved; this is his fourth development since 2016; and that the as-built has not been updated to reflect the driveway adjustment. Director Mitchell clarified that driveway changes will not be an issue for him to obtain building permits.

**VOTE:**

YEA: Halstead, Glendening, Greenberg, Coston, Fikes, Woodard, Twait

NAY: None

**MOTION PASSED UNANIMOUSLY.**

Chair Twait noted the 15-day appeal period.

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

1. **\*Action/Approval** - Requesting an Excused Absence for the July 12, 2023 Regular Meeting – Glendening.

Approved by the consent agenda.

2. **\*Action/Approval** - Transfer of Conditional Use Permit PZ2021-15 for Cabin Rentals on a property described as Lot 3, James H. Cowan Estates, located at 1050 Angler Drive within the Rural Residential (RR) zoning district.

Approved by the consent agenda.

**I. REPORTS**

1. City Council – Vice Mayor Baisden reported that there had been no City Council meeting since the previous Planning & Zoning Commission meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the July 17, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - Will be reviewing applicants for open Planning & Zoning administrative assistant positions.
  - The first meeting in August is cancelled.
  - Went on code enforcement site visits with a police officer, will provide the commission with updates on some of these sites at future meetings.

**J. ADDITIONAL PUBLIC COMMENT** – None.

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: August 23, 2023

**L. COMMISSION COMMENTS AND QUESTIONS**

Commissioner Fikes noted she will be absent at the August 23, 2023 meeting.

Chair Twait noted the plat discussion provided good ideas for Council to consider.

**M. PENDING ITEMS** – None.

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 8:03 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of July 26, 2023.

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Meghan Thibodeau  
Deputy City Clerk





## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Mary Bondurant, Interim Airport Manager  
**DATE:** August 10, 2023  
**SUBJECT:** **Airport Mid-Month Report August 2023**

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2020/2021 Sand/SRE Storage Building – This project is coming along with a completion date of October 2023. Operations crew is looking forward to having sand readily available for use instead of breaking into a frozen sand pile.

Annual FAA 139 Inspection – The Airport received a write-up last year in regards to the Taxiway Delta Surface Painted Hold Position Sign (SPHPS) with a correction date of August 31, 2023, which to date has not been corrected. When Operations staff asked for an extension to August 31, 2024 due to unavailability of painting contractors, the FAA expressed hesitance on the extension. Airport Manager and Operations Supervisor are working to resolve the LOC.

### In-house Activities

- TSA will be here on August 14, 15, & 16, 2023 for their annual site visit. Airport Manager is working on the updates to the Airport Security Plan.
- Non-exclusive Car Rental Concession is out for bid with a bid opening date of September 1, 2023.
- Anchorage FAA staff will be at the Airport on Wednesday, September 6, 2023 for a site visit and to discuss the Airport Capital Improvement Program (ACIP).
- Operations crew is very busy with hazing, coyote control, mowing, and general airfield and terminal maintenance. There is an issue with the keypad at the Float Plane Basin fuel pump and we are trying to get a new keypad. Please contact the Airport if you experience any issues at the fuel pump.
- All leases and special use permits are being reviewed to ensure rates and fees are in accordance with the Fee Schedule established on July 1, 2023.

P.S. – It is fun being back!!



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubanks, City Manager

**THROUGH:** Dave Ross, Police Chief

**FROM:** Jessica “JJ” Hendrickson, Animal Control Chief

**DATE:** August 8, 2023

**SUBJECT:** July 2023 Monthly Report

This month the Kenai Animal Shelter took in **27** animals. Animal intake and disposition:

| DOGS: |                    |    |                    |    |
|-------|--------------------|----|--------------------|----|
|       | INTAKE             | 17 | DISPOSITION        | 9  |
|       | Waiver             | 8  | Adopted            | 4  |
|       | Stray              | 4  | Euthanized         | 0  |
|       | Impound            | 0  | Claimed            | 5  |
|       | Protective Custody | 1  | Field Release      | 0  |
|       | Quarantine         | 3  | Transferred        | 0  |
|       | Other Intakes      | 1  | Other Dispositions | 0  |
| CATS: |                    |    |                    |    |
|       | INTAKE             | 10 | DISPOSITION        | 16 |
|       | Waiver             | 2  | Adopted            | 15 |
|       | Stray              | 8  | Euthanized         | 0  |
|       | Impound            | 0  | Claimed            | 1  |
|       | Protective Custody | 0  | Field Release      | 0  |
|       | Quarantine         | 0  | Transferred        | 0  |
|       | Other Intakes      | 0  | Other Dispositions | 0  |

| OTHER ANIMALS: |            |   |                                       |   |
|----------------|------------|---|---------------------------------------|---|
|                | INTAKE     | 0 | DISPOSITION                           | 2 |
|                | Guinea Pig | 0 | Horse                                 | 0 |
|                | Rabbit     | 0 | Rabbit                                | 0 |
|                | Other      | 0 | Guinea Pig                            | 2 |
| DOA:           |            | 5 | OTHER STATISTICS:                     |   |
|                | Dog        | 3 | Licenses (City of Kenai Dog Licenses) | 5 |
|                | Cat        | 2 | Rabies Clinic                         | 0 |
|                | Rabbit     | 0 |                                       |   |
|                |            |   |                                       |   |

- 2** Animal dropped with After Hours (days we are closed but cleaning and with KPD)
- 32** Field Investigations & patrols
- 7.25** Volunteer Hours Logged
- 0** Citations
- 1** Educational Outreach
- 1** Microchip
- Total Animal Contacts:
- 12** Animals are *known* borough animals (includes rabies clinic animals)
- 14** Animals are *known* City of Kenai (includes rabies clinic animals)
- 1** Animals are *known* City of Soldotna (includes rabies clinic animals)
- 0** Animals are *unknown* location

- Statistical Data:
- 368** 2021 YTD Intakes
  - 242** 2022 YTD Intakes
  - 310** 2023 YTD Intakes





## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** David Swarner, Finance Director  
**DATE:** August 10, 2023  
**SUBJECT:** Finance Department, August 2022 Mid-month Report

---

The department completed its part of the 2023 Personal Use Fishery management and is working toward completion of the annual report on the fishery. Fishery revenue was \$493,476 which was 99.35% of the FY2024 budgeted amount of \$496,712. Total expenditures are still being compiled and a full financial analysis will be part of the annual report.

With the end of FY2023, the department's focus has switched to closing of that year's books and completion of the City's Annual Comprehensive Financial Report. This process includes closing of the FY23 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. The annual audit is scheduled for the week of October 10th.

As of August, 2<sup>nd</sup> the Finance Department is once again fully staffed with the hiring of the new Finance Director, David Swarner.



## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**THROUGH:** Terry Eubank, City Manager

**FROM:** Tony Prior, Fire Chief

**DATE:** August 8, 2023

**SUBJECT:** Fire Department Mid-Month Report – July

Calls for service for July increased compared to June of 2022, bringing us closer last year's overall calls for service to date. Here are the calls for service break down.

| July       | 2022 | 2023 | % change |
|------------|------|------|----------|
| Totals     | 128  | 135  | 5.5%     |
| EMS        | 90   | 105  | 16.7%    |
| All Other  | 38   | 30   | -21.1%   |
| Year total | 855  | 848  | -0.8%    |

### Training:

- All personnel have been working on extrication training using the battery-operated Hurst tools.
- All shifts have been gathering hydrant flow data in preparation for ISO.
- Firefighter Turkington has finished his check-off on Engine 3 and will begin training on Tower-1 for his final engine check-off.

### Projects/Grants:

- Our FAA inspection passed with no issues to fix and with a good report from the inspector.
- We have submitted all paperwork to ISO in preparation for our audit on August 4<sup>th</sup>. Documents from the Fire Department, Dispatch, and the Water Department.
- We now have a new Physician Sponsor, Dr Mike Levy. Dr Warren was excepted into a Fellowship program and could no longer act as our medical physician sponsor due to the time commitment of the program and working full time as well.
- Dip net season is complete with this season having a higher than average year of boat incidents.



## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Stephanie Randall, Human Resources Director  
**DATE:** August 1, 2023  
**SUBJECT:** Human Resources Activity – July 2023

---

### Recruitment

Human Resources worked with multiple departments for the following positions to be filled and onboarded in July: eight Personal Use Fishery Cashiers, seven Personal Use Fishery Attendants, two additional Temporary Maintenance Workers, and two Public Safety Dispatchers. Offers have been extended for the Recreation Center Worker, and the Planning and Zoning Administrative Assistant II positions. The City has received and is reviewing applications for the Airport Manager position and the Shop Foreman position. Recruitment continues for the part time Janitor position.

### Safety

Four accidents were reported in July, one resulted in property damage and one that resulted in a minor injury to a non-employee; two were employee injuries and Workers' Compensation claims were filed for these.

### New Programs

With the help of the Assistant to the City Manager, policies were written and forms were created to implement Ordinance 3356-2023 Personnel Regulations to Address Recruitment and Retention. As a result of the new policies, three employees submitted requests for education assistance to help pay the cost of tuition for courses related to their current positions, and HR received four employee referrals for open positions.

### Special Projects

Human Resources worked with Administration and the working group of City employees to provide input for the Request for Proposals (RFP) for the City of Kenai FY24 Classification and Compensation Study. The RFP was released on July 21 and advertised on the City's website, in the Anchorage Daily News, and in the Peninsula Clarion.



# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**FROM:** Katja Wolfe, Library Director

**DATE:** August 4, 2023

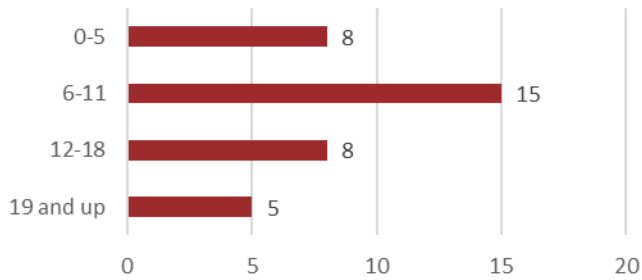
**SUBJECT:** **Library Report for July 2023**

### JULY 2023 AT A GLANCE

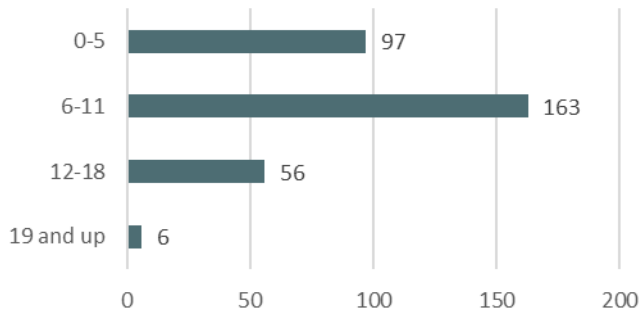
| <b>Items Borrowed</b>           | <b>Jul-22</b> | <b>Jul-23</b> | <b>2023 YTD</b> |
|---------------------------------|---------------|---------------|-----------------|
| Physical                        | 7,552         | 7,376         | 48,244          |
| Digital                         | 1,566         | 1,695         | 11,489          |
| <b>Services</b>                 |               |               |                 |
| New Memberships                 | 67            | 63            | 413             |
| Room Reservations               | 130           | 148           | 988             |
| <b>Programs</b>                 |               |               |                 |
| Number of Programs              | 33            | 38            | 280             |
| Program Attendance              | 397           | 442           | 3,586           |
| <b>Technology Sessions</b>      |               |               |                 |
| Computer sessions               | 452           | 557           | 3,801           |
| WiFi Sessions                   | 8,228         | 10,613        | 75,429          |
| Early Literacy Station Sessions | 384           | 411           | 2,193           |

## JULY 2023 PROGRAMMING

Number of In-Person Programs Per Age Group



Total Attendance Per Age Group



### HIGHLIGHTS

#### Kids

- 8 story times – 97 participants
- 5 Lego® clubs – 48 participants
- 2 American Girl Doll Clubs – 13 participants
- 1 Tech Lab – 4 participants
- 7 Summer Reading programs – 98 participants

#### Teens

- Teen Advisory Board – 4 participants
- Nerf Night – 14 participants
- Nintendo Switch Club – 10 participants
- 4 Chess Clubs – 17 participants
- DIY bookmarks – 11 participants

#### Adults

- Tech Time – 6 participants
- 3 DIY Summer kits – 120 kits given away

## JULY 2023 SERVICES HIGHLIGHTS

- Our study and conference rooms were used by 148 individuals/groups for a total of 297 hours.
- Our volunteers logged approximately 30 hours this month.
- We launched several new AV kits for adults (e.g., flexible camera, slide converter, cassette tape converter, and more). Kits are searchable in our catalog.
- We distributed 94 meals to children 18 and under during our Summer Food Service hours in July.
- Summer Reading is winding down. Stay tuned for announcements about fall events.







## MEMORANDUM

**TO:** Mayor Gabriel and Council Members  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Tyler Best Parks and Recreation Director  
**DATE:** August 10th, 2023  
**SUBJECT:** **Mid-Month Report-July**

---

The PU Fishery took place between July 10th and July 31<sup>st</sup>. This year, something new was our bypass lane extension allowing local businesses and dip net traffic with valid passes to bypass the shacks. The new lane helped local traffic access the Kenai Little League fields, Lee Shore Center, Boys & Girls Club, Our Lady of Angels Church, and it helped alleviate traffic jams on the Kenai Spur.

Kenai Little League held a new baseball tournament during the first weekend of the fishery, and to accommodate them, we closed down part of the parking lot usually reserved for dip netters. We allowed them to park and camp there so they could host their tournament. After the tournament, we opened the parking lot to dip netters, except for a small section to accommodate baseball practices.

The Annual Firecracker Tournament hosted by Kenai Softball Association took place at the beginning of July, bringing Softball teams from all over the state to Kenai.

Mid-month at Millenium Square, the Kenai Wolfpack Rugby team hosted a tournament with 15 teams from all over the state.

On July 28<sup>th</sup>, we opened the Kenai Bark Park, Kenai's first dog park. We currently have some of the park fenced off to establish the grass better and additional agility equipment to add in the future.

Kenai slash site is open from Thursday to Sunday, 10 am-6 pm, for anyone who wants to dispose of slash. To date, the slash site has collected 48.38 acres.

Entrance to the new Dog Park!



Community wall that shows sponsors and volunteers who help bring the Bark Park to



Kenai Slash Site gets filled up, and then Streets Department comes in and consolidates all the slash into a larger pile.





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council

**THROUGH:** Terry Eubank, City Manager

**FROM:** David Ross, Police Chief

**DATE:** August 3, 2023

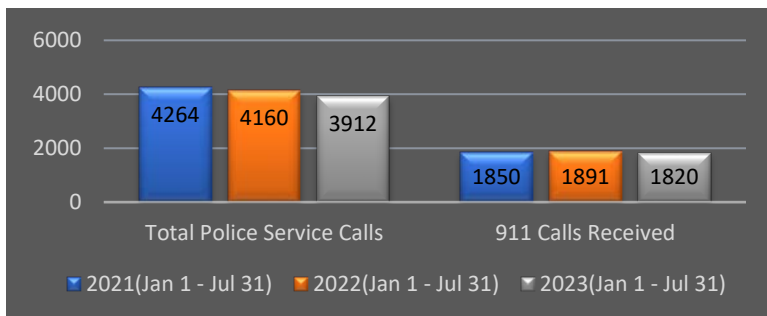
**SUBJECT:** **Police & Communications Department Activity – July 2023**

Police handled 801 calls for service in July which was an increase of about 7% from the previous July. Dispatch received 343 9-1-1 calls. Officers made 45 arrests. Traffic enforcement resulted in 426 traffic contacts and 48 traffic citations. There were 13 DUI arrests. There were 30 reported motor vehicle collisions in July. There were two collisions involving a moose and there were no collisions involving drugs or alcohol.

Sgt. Grimm completed the Northwestern School of Police Staff & Command, which is designed to help supervisors succeed in senior command positions.

The School Resource Officer participated in the summer reading program at the Kenai Library. Officers provided traffic control for the 4<sup>th</sup> of July parade. Officers and especially Temporary Enforcement officers provided a great deal of support to the City’s operations surrounding the Personal Use Fishery.

The department’s janitor position became vacant and the department is working to fill that position. Two vacant dispatch positions were filled and both of those individuals will start employment and training in August.







## MEMORANDUM

**TO:** Mayor Brian Gabriel and Kenai City Council  
**THROUGH:** Terry Eubank, City Manager  
**FROM:** Scott Curtin, Public Works Director  
**DATE:** August 2023  
**SUBJECT:** **Mid-Month Report; Public Works / Capital Projects**

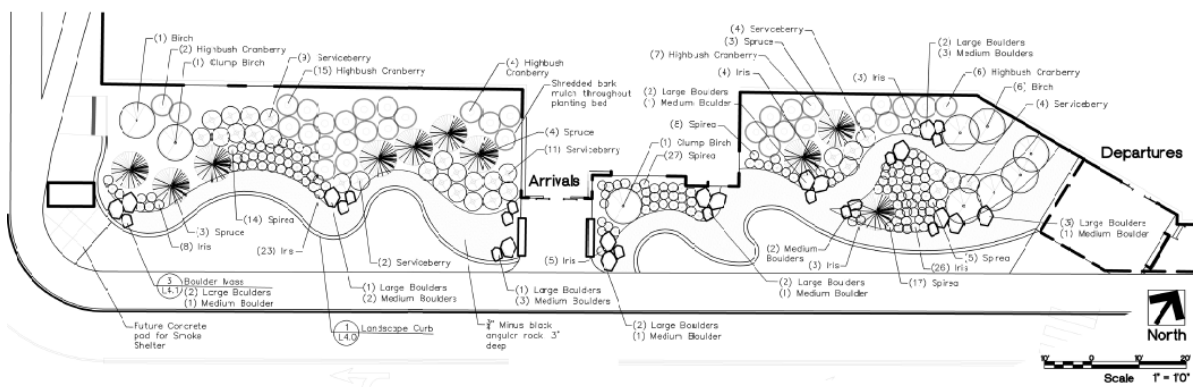
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### ***Airport Fund Projects:***

- Kenai Municipal Airport Sand Storage Facility – Orion Construction is currently under contract in the amount of \$2,289,000. The project started back up May 1<sup>st</sup>, currently structural steel is being set with exterior panels expected to start in mid-August. Work with HEA and Enstar is in coordination and proceeding well. Doors and windows have arrived on site. *N. Willow shutdown on 8/7 to allow water service line installation, detour in place. Water tap completed on 8/8/23 with pressure testing and chlorination completed on 8/9/23. Project continues on schedule and on budget.*



- Kenai Municipal Airport Runway Rehabilitation Project** – This project known as Task 4 within HDL Engineering Consultants LLC term service agreement with the City shall provided an initial assessment of the current condition of the airport runway. This included geotech work, coring numerous locations of the runway. On August 4<sup>th</sup>, 2021 HDL Engineering and staff successfully completed geotech borings of the runway after hours. On October 13<sup>th</sup>, 2021 HDL Engineering, City staff and the FAA discussed the findings of the geotech report. On December 6, 2021 the City received the draft Engineer’s Design Report (EDR) along with the draft Geotechnical Report. Ordinance 3278-2022 was approved on April 20<sup>th</sup>, 2022 to secure HDLs services through Bid Phase with a contract amendment of \$781,833 executed on May 6, 2022, bringing the total cost of design to \$1,031,833. Project has been stalled at 35% Design as Environmental Compliance requirements are being clarified. Project is currently tracking for Runway Rehab Construction in 2025 with the Taxiways 2026 the following year, however this may slide a year, dependent upon FAA funding. Update: Staff meeting was held in Anchorage with FAA Counterparts to discuss project on 3/8/23. March 27, 2023 staff meeting with DEC to discuss path forward for design services. Project is now moving forward again with Environmental Services toward a 65% design effort. Council approved a purchase order increase to HDL Engineering at the June 7<sup>th</sup>, 2023 to allow the environmental work to move forward. *Airport Manager and Public Works Director met with HDL on 8/9/23 and reviewed the environmental documents status.*
- Kenai Municipal Airport (KMA) Terminal Landscaping** – A Request for Proposals for Landscape Design Services was released on July 14, 2022 with proposals due on July 28, 2022 where Earthscape LLC was determined to have provided the highest scoring proposal at a cost of \$28,255. The Purchase Order to Earthscape LLC was approved by Council at the 9/7/22 council meeting. Design work continues with final design concepts working through the airport commission and airport administration. Contract is billed out to 65% as of July 5, 2023. On July 12, 2023 Earthscape delivered draft 95% design documents, on July 24, 2023 a preliminary cost estimate was provided. Documents are under staff review at this time. *8/4/23 provided comments back to Earthscape regarding a few plant types, working with interim Airport Manager on a few elements including wind screens at entries.*



- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement – This project was released for RFP on July 19, 2022 with proposals due on August 16, 2022. MBA Consulting Engineers was the successful proposer awarded under Resolution 2022-63 approved by Council at the September 7, 2022 Council Meeting. Contract Documents were fully executed with MBA on October 31, 2022 for the contracted amount of \$47,726. November 10, 2022 will be the first site meeting with staff and engineering team. Design work is anticipated to continue through the winter months. 95% design documents were received on January 30, 2023. Project cost estimate is over budgeted amounts and staff is coordinating with design team to refine documents. Construction Bid release is pending, resolving final issues with Meridian Controls. *Introducing Ordinance at the 8/16/23 council meeting to appropriate additional funding in support of the project. Staff has begun conversations with the FAA working toward establishment of grant assistance.*

### **General Fund Projects:**

- USACE Bluff Erosion –Council approved Resolution 2021-35 at the June 2, 2021 meeting awarding an agreement to HDR along with issuance of a purchase order in the amount of \$791,832.68. July 6, 2021 the formal agreement between the City of Kenai and HDR was executed. On January 2, 2022 the City received 35% Design Documents from HDR, staff was able to review those documents with HDR uploading them to the Corps website on January 25<sup>th</sup>. On March 3<sup>rd</sup> federal funding in the amount of \$650,000 was received by the USACE to be used toward the design effort of the project. On March 10<sup>th</sup> the City submitted a letter for Request for Work in Kind, to cover the expenses the City has incurred through HDR Engineers Inc. in the amount of \$248,676.73, which covers progress from July through November 2021. 65% Design Docs were received ahead of schedule on April 28<sup>th</sup>. Value Engineering Workshop was conducted with USACE on June 21-24, 2022 at JBER. This completed the requirement of completion of a VE Study for the project. Final 65% documents with the items addressed at the VE Study workshop were received 8/25/22. Advanced Technical Review (ATR) with the Corp began 9/15/22, with an ATR Workshop on October 3, 2022. The City Manager presented Resolution 2022-71 to Council at the October 5, 2022 meeting accepting a State Grant 23-DC-007 for \$6,500,000 in support of the Sponsor share of the project. This grant is a tremendous step toward fulfilling the City's responsibility of the current 35% percent match of the overall project. Staff formally submitted Work In Kind (WIK) Requests #2 & #3 to the USACE on November 3, 2022 totaling another \$316,447.30 toward our City Share of project costs. Project has now entered the BCOES phase (Bid-ability, Constructability, Operability, Environmental & Sustainability Reviews) with the US Army Corps. with a targeted completion date of March 10<sup>th</sup>, 2023 for this task. HDR has reached 95% design documents, which were delivered to the City on February 23, 2023. Preparations are in process for execution of a PPA (Project Partnership Agreement) with the US Army Corps likely within the next 60 days. The current target dates for advertisement for Construction Bids is June 12<sup>th</sup>, 2023 with Contract Award tracking at August 16<sup>th</sup>, 2023. Project remains on track and is proceeding well. Update: March 28<sup>th</sup>, 2023 10:00am conducted meeting reviewing BCOES comments with USACE and HDR, this step is nearing completion. March 28<sup>th</sup>, 2023 12:30pm meeting with City Manager Eubank, Colonel Delarosa



and Randy Bowker with USACE discussing project funding, PPA, and design phase nearing completion. Project Partnership Agreement (PPA) is slightly delayed due to impacts of the WRDA bill which will have a positive impact for the City on revising the cost share from 65/35 to 90/10. Update: May 10<sup>th</sup>, HDR is nearing completion of their work, final back check of all design comments is being addressed, with final quality assurance reviews beginning with remaining USACE staff. Update: June 14, 2023, received the draft PPA on June 6<sup>th</sup>, 2023. City Attorney and Administration is reviewing. June 8<sup>th</sup>-9<sup>th</sup> staff and HDR reviewed all remaining open comments on 95% design docs with the USACE team. The final remaining items are being closed out in preparation of completed bid set deliverable to USACE. June 15<sup>th</sup> conference with Administration & USACE to answer questions on PPA. City fund certification documentation sent to USACE this month ahead of the July 6<sup>th</sup> deadline. Dates are sliding however we still anticipate a construction bid release later this year. Update: July 11, 2023 meeting at City Manager's office with the new Colonel Palazzini who is taking over for Col. DeLaRosa. Randy Bowker, Chief Programs and Project Management with USACE Alaska District also in attendance. Discussed pending PPA, and near completion of design phase. HDR is billed out to 95% of their design agreement.

- Community Wildfire Prevention Plan (CWPP) Mitigation – The City has received grant funds to address beetle kill damages within the City. On November 3<sup>rd</sup> an Invitation to Bid was released in coordination with the Fire Department and Forest Service to perform mitigation services on approximately 105 acres of land through the No Name Creek Drainage from Redoubt Avenue extending to Cook Inlet. Five Bids were received on 12/13/22 with Doug Koch Professional Tree Service providing the winning bid at a cost of \$282,000. Work is anticipated to take place during allowable time frames over the next year. A Resolution to Award this Contract is before Council at the 12/21/22 Council Meeting. Construction Contract was fully executed on February 28<sup>th</sup>, 2023 and contractor is actively working on project. Much of the North section is now cut with timber and slash still remaining to haul away, Section 4-5 which is largely a hand felling area has started mitigation, as well as the South section near Municipal Park which has had extensive work completed to date. Contractor has been performing well, work will slow down through the summer months per the grant requirements when beetles are known to spread and work will resume later this fall. Update: May 18, 2023 representatives from the USDA Forest Service as granting agency were in town and provided a tour of the work actively taking place. Review of project documents, invoices, drone footage, etc. was completed and received very well. Tree cutting work has now stopped as beetles are active and will resume as temperatures allow as we enter the winter months. To date the contractor has invoiced for \$142,972.41, approximately 50% of the contracted work. Project has proceeded quickly and remains on time and on budget. While tree cutting has stopped for the summer months, contractor has hauled and stock piled slash that was cut earlier in the season. Cutting expected to resume in October.
- Recreation Center Improvements – Formal Invitation to Bid was released on February 23, 2023 with bids due on March 23, 2023. Orion Construction was the successful bidder with a total bid of \$1,425,700 as presented to Council through Resolution 2023-25 adopted at the April 5<sup>th</sup>, 2023 Council meeting. Construction will continue into the fall of 2023. Update:



Roofing is now complete, roof drainage is now complete out to a new parking lot storm water detention area. Mechanical HVAC Roof top units remain on order. Project is proceeding well and on schedule. Change Order 1 is being prepped to cover some minor items.

- Kenai Fire Department Apparatus Bay Coating – Ordinance 3315-2022 is up for Council approval on 9/21/22 to provide supplemental funding to allow the project to bid. Once additional funds are approved project is prepped for bid release. Existing budget was \$45,000 with approval of Ordinance 3315-2022 new budget will be \$60,000. This work involves cleaning and replacement of concrete floor markings with the installation of a new concrete sealer to protect and extend the life of the garage bay floors. Project was released for Construction Bids on May 2<sup>nd</sup> with bids due on May 18<sup>th</sup>. Council approved Resolution 2023-43 which awarded a construction agreement to Pro Grind Alaska Rental LLC in the amount of \$49,250. Work will take place this summer. Contractor walked site with staff on July 26, 2023. Pending work is expected to be completed by August 31, 2024. *Contractor started on site on August 2, 2023.*
- Roadway Improvements – Nelson Engineering was the successful proposer to provide bid ready construction documents for improvements to Wildwood Dr, Willow Ave, First St. as well as multiple smaller misc. repairs. Wildwood Dr will require grant assistance to complete the project. The N. Willow St Roadway Improvements, First Avenue Roadway Repairs, and Misc. Repairs projects were all released for construction bids on May 18<sup>th</sup> 2023 with Bids due on June 1<sup>st</sup>, 2023. All three projects received bids in excess of budgeted amounts and there is legislation pending at the June 21<sup>st</sup>, 2023 Council meeting to provide supplemental funding to award these projects. They are still intended, with Council's approval, to be completed this construction season. Contracts have now all been executed with Foster Construction receiving a Notice to Proceed on July 19<sup>th</sup> for the First Ave Repairs and Misc Repairs projects, Knik Construction received their Notice to Proceed for N. Willow St. on July 26<sup>th</sup>. Contractors have started submittals and will be mobilizing soon. *Knik Construction is expected to mobilize to N. Willow on August 14<sup>th</sup>, Fosters Construction to mobilize to First Ave approximately August 23<sup>rd</sup>, 2023.*
- Multi-purpose Facility – The Building Maintenance Department completed all of the pressure washing and rust prevention coatings in house. That portion of the project was completed on time and on budget and allowed for ice to go back in on schedule. Staff continues to work on ventilation solutions as well as some UV Heat lamps to replace the natural gas heaters suspended from the ceiling near the seating areas. Once a scope of work is finalized by the department these additional items will be released for bids. Currently roughly \$71,000 of the \$155,000 in funding has been expended. A Proposal Quote Request (PQR) was released on June 30<sup>th</sup> with quotes due on July 13<sup>th</sup>. MBA Consulting Engineers was the only respondent at a cost of \$30,580. Design work will cover ventilation, lighting, bleacher radiant heating and will take place through November. *Contract documents are routing for signatures.*
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached





capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted a gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are available through the Clerk's office. The Parks & Recreation Commission is currently considering alternatives to fencing the cemetery in an effort to utilize those funds toward completing other items. Work will be suspended through the winter with the parking lot paving taking place early summer 2023. Cemetery Phase 2 Fencing was released for bids on July 26<sup>th</sup> with bids due on August 9<sup>th</sup>. Council will see legislation for a contract award at the August 16<sup>th</sup>, 2023 meeting. *AAA Fence, Inc was the successful bidder at a cost of \$147,595 work is expected to be completed yet this year.*

- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available.
- Lilac Ln. Roadway Improvements – RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop bid ready construction documents for this project. Proposals are due on 8/28/23. Council will see legislation to award a professional services agreement at either the 9/6/23 or 9/20/23 council meeting. Design work will take place over the winter for a summer 2024 construction date. This project is located between the Spur Highway and Cook Inlet Dr.
- Cemetery Creek Culvert Replacement - RFP was released on 8/8/23 for Professional Civil Engineering and CA Services to develop 35% design documents for this project. Proposals are due on 8/28/23. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents will be used to apply for grant funding.

***Water & Sewer Fund Projects:***

- Lift Station Renovations – Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift station controllers which has now been resolved. Waiting on a final estimate, to determine amount of additional funding that may be required in order to release this project for construction. Council will likely see an Ordinance in August as this project moves forward.



- Wastewater Plant Digester Blowers Replacements – HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution 2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski’s office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5<sup>th</sup> a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. *Design team is actively working with granting agency.*
- Water Treatment Plant Pumphouse – On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state’s revolving fund program and that the loan would receive 100% forgiveness in support of this project. Public Works staff and the Administration are working with Council in an effort to be able to accept these loan funds. This project will construct a new pumphouse building and provide replacement distribution pumps for the City’s Water System.

**Senior Citizens Fund Projects:**

- Senior Center Front Entry Modifications – Capital Project Manager is developing scope of work for this project to address operation of automatic entry doors.

**Congregate Housing Fund Projects:**

- Vintage Pointe Boiler Replacement – A RFP for design services was released on October 6, 2022 with proposals due on November 3, 2022. Design work will continue into the winter with a construction bid release expected at the end of the first quarter 2023. This project will replace outdated boiler heat systems for the facility as well as providing a direction on backup power generation to support the heating system when grid power is unavailable. No proposals were received, the Department is requesting approval to enter negotiations with RSA Engineering in the hopes of moving the project forward. RSA Engineering is under contract and is expected to start design in early January 2023. On February 3, 2023 RSA Engineering provided draft 65% Design Documents. Staff is currently reviewing.



Engineering has a planned site visit for February 15, 2023 scheduled. We are anticipating bid documents being ready for an April Construction Bid release. 100% Design Documents are were received from the RSA Engineering on April 14<sup>th</sup>. Council approved Resolution 2023-30 on May 3<sup>rd</sup> to reallocate funds for the project. *Invitation to Bid was released on August 2, 2023 with bids due on August 23, 2023. Council will see Legislation at the September 6, 2023 meeting to award a construction contract.*



**Other Projects Information:**

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. No new information to report at this time.
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. Update: Formal kickoff meeting took place on March 30<sup>th</sup> with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will



continue to update as more information becomes available. Update: A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue.

- DOT Boat Launch Road Fish Passage Culvert – Council approved a construction easement to allow DOT access to replace the roadway culvert at the intersection of Boat Launch Rd and Bridge Access at the April 5<sup>th</sup> Council meeting. Work is anticipated to start later this year in coordination with the River Center to minimize impacts to fish entering the watershed.

